

EXHIBIT E

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

_____)	
EDVIN RUSIS, HENRY GERRITS,)	
PHIL MCGONEGAL, and DAVID HO)	
ENG, individually and on behalf)	
of all other similarly situated individuals,)	
)	Civil Action No. 1:18-cv-08434
)	
Plaintiffs,)	
)	
v.)	
)	
INTERNATIONAL BUSINESS)	
MACHINES CORP.)	
)	
Defendant.)	
_____)	

Affidavit of Henry Gerrits

1. I am an adult resident of Cary, North Carolina.
2. I worked for IBM from approximately 1985 to June 27, 2018, when I was laid off.
3. I am sixty-seven (67) years old.
4. My most recent position at IBM was Global Commodity Manager in IBM's Supply Chain Group.
5. I have consistently received good (and at times excellent) performance reviews, and I have never received negative criticism from IBM in my performance reviews.
6. On approximately March 29, 2018, I was called in to my first-line manager's office and given a letter that said I would be subject to a lay-off due to "strategic shifts." It stated that I would receive severance in the amount of one month's pay, and that I had the option to continue working in my position until June 27, 2018,

or that I could work for an IBM-affiliated non-profit for five months at half my previous pay. I decided to continue working in my regular position until I was laid off.

7. The letter from IBM informing me of my layoff did not identify any performance issues and did not identify any skills that IBM felt I was lacking. When I spoke with my first-line manager, Michael Neumar, about the letter, he explained only that IBM was investing in other growth areas and no longer investing resources into our area. However, I was surprised that I was being laid off, because my team was already strained severely by the workload since it had lost other employees due to layoffs and resignations earlier in the year. Indeed, IBM had issued a public blog post on April 10, 2017, saying that it was going to be a challenge to replace the skills of all the baby boomers who are retiring, which I took to be an admission that the skills of employees in the Supply Chain Group are still needed.
8. Following the notification that I would be laid off, at the urging of my first-line manager, I applied to two open IBM positions within my organization for which I was clearly qualified, using IBM's internal hiring platform. I did not hear back from IBM on either of those positions, and when I followed up, I was told that those positions were no longer available to me.
9. Additionally, I heard about another open position from a colleague, LeRoy Vivian, that was very similar to a position that I had held previously and for which I was well qualified. When I spoke to Mr. Vivian, he informed me that he would pass my information along to the hiring manager. However, I did not hear back, and when

I followed up with Mr. Vivian who told me about the job, he explained that the hiring manager had initially expressed interest in me but was then unable to provide further information. Further, there was a member of our department, Davis Dandurand, who was permitted to take a position in a different area, and his position had to be back-filled. However, IBM waited to back-fill his position until my job had ended.

10. After I was laid off, my job was divided between two other people in my department, one of whom, Karlie Zuchowski, was in her early twenties, and the other, Jeff Gerboth, who was in his forties or fifties. My manager asked me to help train those two individuals on my job duties before my employment ended, which I did.
11. I am also aware, from a notification on Linked-In, that less than thirty days after my last day, IBM hired another college graduate in his early twenties, Cesar Guitierrez, and gave him the same job title I had.
12. I am aware that the average age in my department has dropped from approximately forty-nine (49) in 2017 to forty-four (44) in 2018.
13. Based on my conversations with other current and former IBM employees, I expect that there are many other employees over the age of forty (40) who have lost or may lose their jobs at IBM, who would be interested in joining the case if notified of their right to do so.

01/16/19

Signed under the pains and penalties of perjury on _____.

A handwritten signature in black ink that reads "Henry Gerrits". The signature is written in a cursive style with a large, stylized "H" and a long, sweeping underline.

Henry Gerrits